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C.C.

PTO/SB/64 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: Kenneth Gerald Blemel

Application No.: 09/966,397

Art Unit: 2857

Filed: 09/28/2001

Examiner: West, Jeffrey R.

Title: Embedded System for Diagnostics and Prognostics of Conduits

Attention: Office of Petitions  
**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity -- fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of Amendment in response to Office Action mailed on 3/23/2006 (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 0.00

- ☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### 3. Terminal disclaimer with disclaimer fee

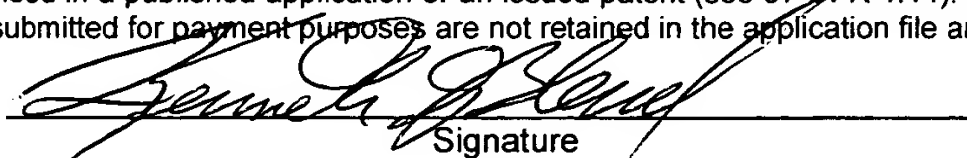
☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

### WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

  
Signature

November 13, 2006

Date

Kenneth G. Blemel

Typed or printed name

Registration Number, if applicable

6022 Constitution Ave. NE

Address

505-255-8611

Telephone Number

Albuquerque, NM 87110

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Nov 13, 2006  
Date

  
Signature

Okmi Jun Blemel  
Typed or printed name of person signing certificate



**PETITION FOR REVIVAL OF AN APPLICATION**  
**FOR PATENT ABANDONED UNINTENTIONALLY**

Date: November 13, 2006

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

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Application No: 09/966,397  
Filing Date: 09/28/2001  
Inventor / Applicant: Kenneth Gerald Blemel  
Confirmation No: 6480  
Examiner: Jeffrey R. West  
Art Unit: 2857

**STATEMENT OF UNINTENTIONAL DELAY**

Sir:

This is a statement of unintentional delay to support the Petition for Revival of an Application for Patent Abandoned Unintentionally (Form PTO/SB/64) for the Patent Application Number 09/966,397 per phone conversation with Mr. Jeffrey West on October 27, 2006 by Ms. Okmi Jun Blemel.

I misunderstood the examiner's suggestions for four (4) separate patents as having to submit four (4) separate divisional applications instead of continuing with three (3) divisional applications along with the amended original patent application. I misunderstood that continuing with four (4) divisional applications also kept the original application active as a "parent" reference. Therefore two (2) divisional applications have been submitted instead of an amendment to the original application. The first divisional application containing claim 1 was mailed on June 22, 2006 and filed on June 26, 2006. The second divisional application containing claim 42 was mailed on August 25, 2006 and filed on August 28, 2006. Please note that the first divisional was mailed within the time period allowed for a response to Office Action of March 23, 2006 for the original application.

The divisional application containing claim 1 has received its own application number and is currently under review.

The divisional application containing claim 42 has received its own application number, however it will be amended to delete claim 42 and add claim 2. This amendment will be mail by November 17, 2006.

A new divisional application containing claim 3 will be prepared and submitted in the near future.

As for the original application, I am submitting an amendment containing claim 42, along with this petition, based on the examiner's comments, rejections and objections in Office Response of March 23, 2006.

This petition should be in condition for a favorable examination.

Respectfully submitted,

By: 

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